

## REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 1-2, 5-7 and 9-10 have been amended. Claims 3-4, 8 and 12-15 have been cancelled without prejudice. Claims 16-21 have been added. Therefore, claims 1-2, 5-7 and 9-21 now are presented for examination.

### Claim Objections

Claim 1 is objected to because of the following informality: two commas (,,) have been used at line 3. Claim 1 has been amended to obviate this objection. Accordingly, Applicants respectfully request the withdrawal of this objection.

### 35 U.S.C. § 103 Rejection

Claims 1, 2, 5-7, and 9-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nyudou, U.S. Patent No. 6,496,507 (“Nyudou”).

Applicants respectfully submit that Nyudou discloses “a system switching control device [that] includes a switching section” and “the switching section executes [a] system switching operation for changing its connection between . . . two cell storage sections.” (Abstract, lines 1-6). Nyudou further discloses that the “switching section will be *selectively supplied to one of the cell storage sections* and thereby the cell storage section that is supplied with the cells will be designated as an operating system cell storage section and *the other cell storage section that is not supplied with the cells will be designated as a standby system cell storage section.*” (col. 5, lines 8-17; emphasis provided). Nyudou further discloses a “timer section [that] *counts a time concerning a system switching time.*” (col. 5, lines 17-18; emphasis provided).

In contrast, claim 1, in pertinent part, recites that “in response to the system being in the second power state, switching, without using a main operating system, a parallel Advanced Technology Attachment (PATA) link from the first system to a link with an autonomous subsystem.” (emphasis provided). Applicants submit that Nyudou does not teach or reasonably suggest such a feature. The Examiner has asserted in an Office Action mailed March 21, 2005, that the limitation in Nyudou of “when the first storage system section is designated as a standby system” (Office Action, mailed March 21, 2005, page 3, lines 1-2), that it the same as switching from a first system to an autonomous subsystem in response to the first system being in the second power state (see claim 1). However, as show above, Nyudou switches between the two cell storage sections (active and the standby) in response to a timer that counts a time concerning system switching time. (Abstract, lines 3-6, and col. 5, lines 17-18). Thus, the switching in Nyudou is based on a time interval. Nyudou does not teach or reasonably suggest the use of power states, as recited by claim 1.

The Examiner states in the Office Action that “[t]hough *Nyudou* does not explicitly disclose that the link is switched without using a main operating system . . .” but that Nyudou instead discloses “. . . that *the switching operation is controlled by a switching section . . .*” and “[t]herefore, *Nyudou* implicitly teaches that the link is switched without using a main operating system...” (Office Action, mailed March 21, 2005, page 3, lines 5-9; emphasis provided). Applicants respectfully disagree with the Examiner’s assertion that Nyudou implicitly teaches switching between a link without using a main operating system, as recited by claim 1.

The Examiner further states that “*Nyudou* does not explicitly teach the switching method is used for switching a PATA link” but that “it would have been obvious to one of

ordinary skill in the art at *the time of the invention to apply the teachings of Nyudou . . .* for switching the connection between any two systems.” (Office Action, mailed March 21, 2005, page 3, lines 10-13; emphasis provided). Applicants respectfully request for the Examiner to provide additional support and evidence from Nyudou or another reference to show switching between PATA devices without using a main operating system, as recited by claim 1. Accordingly, for at least the reasons stated above, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependant claims.

Claims 7, 9 and 12 contain limitations similar to those of claim 1, and thus for the reasons stated above with respect to claim 1, Applicants respectfully request the withdrawal of the rejection of claims 7, 9 and 12 and their dependant claims.

### **New Claims**

New claims 16-18 depend from independent claim 7 and thus include the limitations of claim 7. Accordingly, Applicants respectfully submit that claims 16-18 are distinguished over the cited reference.

New independent claim 19 contains similar limitations to those of claim 1. Claims 20-21 depend from claim 19. Accordingly, Applicants respectfully submit that claims 19-21 are distinguished over the cited reference.

### **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.


### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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